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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ESTATE OF DAVID BURKHART,)	No. C 07-5467 PJH
)	
Plaintiff,)	FEDERAL DEFENDANT'S
)	ADMINISTRATIVE MOTION TO
v.)	EXTEND DEADLINE FOR
)	COMPLETION OF MEDIATION AND
UNITED STATES DEPARTMENT OF)	[PROPOSED] ORDER
VETERANS AFFAIRS,)	
)	
Defendant.)	

Pursuant to Civil Local Rule 7-11 and ADR Local Rule 6-5, defendant moves this court to extend the deadline for completion of mediation currently set for June 4, 2008 to 90 days after the court's order on defendant's motion to dismiss.

The extension is needed because plaintiff has indicated that she is in the process of securing legal representation in the above-captioned action. At the ADR phone conference on March 13, 2008, plaintiff informed defendant's counsel and the ADR Unit that she is in the process obtaining an attorney. The ADR Unit has informed the parties that it will be unable to appoint a mediator while plaintiff continues to seek legal counsel because potential mediators will be unable to complete a conflicts check.

1 Defendant's counsel proposed the extension to plaintiff on April 18, 2008 and May 2, 2008,
2 but was unable to obtain plaintiff's agreement. (See Decl. of Jennifer S Wang In Support of
3 Administrative Motion to Extend Deadline for Completion of Mediation ¶ 3).

4 No previous extension of the deadline for completing mediation has been requested.
5 Defendant filed a motion to dismiss the above-captioned case on or about April 4, 2008, and
6 noticed the motion for hearing on May 28, 2008. For the above mentioned reasons, the
7 defendant requests the Court to extend the deadline for completion of mediation to 90-days after
8 the Court's order on defendant's motion to dismiss.

9
10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO
12 United States Attorney

13 /s/

14 Dated: May 13, 2008

15 JENNIFER S WANG
16 Assistant United States Attorney

17 **[PROPOSED] ORDER**

18 The Court, having considered the briefing regarding defendant's administrative motion to
19 extend the deadline for completing mediation in the above-captioned case, it is hereby ordered
20 that the deadline for mediation is extended to 90 days after the Court's Order on defendant's
21 motion to dismiss.

22 IT IS SO ORDERED.

23 DATED: 5/14/08
24 _____

